

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

YOANDY FERNANDEZ-MORALES,  
  
Plaintiff,  
  
v.  
GAZZINI, *et al.*,  
  
Defendants.

Case No. 3:23-CV-00124-CLB

**ORDER RE: MOTION TO IDENTIFY  
UNSERVED DEFENDANTS**

[ECF No. 45]

On December 26, 2023, Defendants filed their notice of acceptance of service and stated that after reasonable inquiry, they could not identify Defendants “Gazzini” or “B. Robinson”, and thus could not accept service on their behalf. (ECF No. 18). Thus, on December 28, 2023, Plaintiff filed a motion to identify unserved defendants “Gazzini” and “B. Robinson”. (ECF No. 19.) Defendants opposed the motion, (ECF No. 20), and Plaintiff replied, (ECF No. 25). The Court denied the motion, as it requested the Office of the Attorney General (“OAG”) to take additional steps to identify these unserved defendants. (ECF No. 44.) Plaintiff has now re-filed his motion to identify unserved defendants. (ECF No. 45.)

Plaintiff’s motion is again asking that the Court order the OAG to take additional steps to identify these unserved defendants. However, the OAG has represented to the Court that it has already undertaken a reasonable inquiry to identify these defendants but was unable to do so. (See ECF No. 18 at 1.) In this Court’s order regarding service, (ECF No. 15), the Court instructed Plaintiff that if service cannot be accepted for any of the named defendants, Plaintiff must file a motion identifying the unserved defendants, including specifying a full name and address for the defendants. (*Id.* at 2.) Thus, to the extent Plaintiff requests that Defendants identify these defendants, this is an improper request. If Plaintiff can identify these defendants during discovery, he may file a motion for service with a full name of these defendants. Plaintiff is reminded that he must perfect

1 service by March 5, 2024, pursuant to Fed. R. Civ. P. 4(m).

2 Consistent with the above, Plaintiff's motion to identify unserved defendants, (ECF  
3 No. 45), is **DENIED**.

4 **IT IS FURTHER ORDERED** that Plaintiff must effectuate service of Defendants  
5 "Gazzini" and "B. Robinson" by **March 5, 2024**, and if service is not perfected by this date,  
6 these defendants will be dismissed pursuant to Fed. R. Civ. P. 4(m).

7 **IT IS SO ORDERED.**

8 **DATED:** February 21, 2024.

9   
10 **UNITED STATES MAGISTRATE JUDGE**